United Nations ECE/MP.PRTR/WG.1/2018/3

Economic and Social Council

Distr.: General
15 August 2018

Original: English

Economic Commission for Europe

Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Working Group of the Parties

Sixth meeting
Geneva, 9 November 2018
Item 7 of the provisional agenda
Implementation of the work programmes for 2015–2017 and 2018–2021, including financial matters

Report on implementation of the work programmes of the Protocol on Pollutant Release and Transfer Registers for 2015–2017 and 2018–2021

Note by the secretariat

Summary

The present report was prepared by the secretariat pursuant to decisions II/3 and III/2 of the Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (ECE/MP.PRTR/2014/4/Add.1, decision II/3, para. 2, and ECE/MP.PRTR/2017/6/Add.1, decision III/2, para. 2). It provides an overview of implementation of the Protocol's work programmes for 2015–2017 (from 1 June to 31 December 2017) and for 2018–2021 (from 1 January to 17 July 2018).

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I. Introduction

1. The present document provides an overview of implementation of the work programmes of the Protocol on Pollutant Release and Transfer Registers to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention) for 2015–2017 and 2018–2021 (ECE/MP.PRTR/2014/4/Add.1, decision II/3, and ECE/MP.PRTR/2017/6/Add.1, decision III/2) as at 17 July 2018, focusing on operational and organizational aspects. It complements the information provided in the report on the implementation of the work programme for 2015–2017 (ECE/MP.PRTR/2017/8), submitted to the Meeting of the Parties to the Protocol at its third session (Budva, Montenegro, 15 September 2017). Owing to the cross-cutting nature of the Protocol, implementation of the various areas of the work programme also promoted achievement of the Sustainable Development Goals across the 2030 Agenda for Sustainable Development and, in particular, Goals 3, 9, 12 and 16. For an overview of the relevant contributions and expenditures, see documents ECE/MP.PRTR/2017/9, ECE/MP.PRTR/2017/9/Corr.1 and ECE/MP.PRTR/WG.1/2018/4. The present report also includes information on the linkages between the activities carried out under the work programme and the focal areas and objectives set out in the strategic plan for 2015–2020 (ECE/MP.PRTR/2014/4/Add.1, decision II/2). It should be noted that while the report focuses on activities carried out by the secretariat and the Protocol's bodies, the strategic plan also includes objectives to be pursued by the Parties, civil society organizations and other partners.

2. In implementing the work programme, the secretariat made every effort to avoid duplication of work and inefficient use of resources by:

(a) Pursuing synergies with the activities of other partner organizations;

(b) Conducting specific thematic surveys prior to activities in order to better meet the needs of Parties and stakeholders;

(c) Continuously increasing the use and development of electronic tools for Protocol activities (e.g., email consultations, phone conferences, online databases, the online reporting tool for national implementation reports, the clearinghouse mechanism and the PRTR.net global portal).

II. Overview of implementation of the work programme

A. Compliance mechanism

3. During the reporting period (1 June 2017 to 17 July 2018), the Protocol's Compliance Committee held its sixth meeting (Budva, 14–15 September 2017).[1] The main focus of the Committee's work has been on assisting Parties in their efforts to implement the Protocol by preparing a number of documents based on lessons learned from the first reporting cycle.

4. In the context of preparation of the 2017 synthesis report on the implementation of the Protocol (ECE/MP.PRTR/2017/10), the Committee also discussed the question of whether, in light of the declaration of competence of the European Union made under article 26, paragraph 4, of the Protocol, European Union member States that are Parties are

[1] Meeting documents and other information on the work of the Compliance Committee are available at http://www.unece.org/env/pp/prtr-cc.html

required to introduce their own national pollutant release and transfer registers (PRTRs) to supplement action taken at the European Union level. The Committee identified a number of issues that would require further analysis and agreed to discuss the matter further.

5. At its third session, the Meeting of the Parties requested the Bureau to consider the added value and resource implications of a possible evaluation of the success of the Protocol and development of the indicators referred to in the annex to the report of the Compliance Committee on its fifth meeting (ECE/MP.PRTR/C.1/2017/2) and, if appropriate, to present a detailed proposal for consideration by the Working Group at its next meeting (ECE/MP.PRTR/2017/6, para. 42).

6. To date, the Committee has received no submissions from Parties concerning their own compliance or that of other Parties, no formal referrals by the secretariat and no formal communications from the public regarding compliance with the Protocol.

7. The work under the Protocol's compliance mechanism is relevant for the achievement of objectives I.1, I.3–I.6 under focal area I, and for all the objectives of focal area III, of the strategic plan for 2015–2020.

B. Technical assistance

8. Technical assistance activities may involve specific projects in countries needing assistance, including training workshops, guidance materials and expert assistance. Such assistance is relevant primarily for the achievement of focal areas I and II of the strategic plan.

1. Workshops and country-specific projects

9. The secretariat promoted the Protocol on PRTRs at the second meeting of the Steering Committee for the United Nations Institute for Training and Research (UNITAR) Global Project on the Implementation of Pollutant Release and Transfer Registers as a tool for Persistent Organic Pollutants reporting, dissemination and awareness raising, held in Lima, Peru, from 5 to 8 March 2018, and at the UNITAR workshop on Strengthening Capacities for Developing a National Pollutant Release and Transfer Register (PRTR) in Support of [Strategic Approach to International Chemicals Management (SAICM)] Implementation in Mongolia, held in Ulan Bator, Mongolia, from 26 to 27 June 2018. Bilateral consultations with relevant Mongolian authorities and experts were held in the margins of the latter workshop on 25 June 2018.

2. Technical assistance through electronic tools

10. The secretariat continued to manage the Aarhus Clearinghouse for Environmental Democracy[2] and the PRTR.net global portal.[3] PRTR.net is used to facilitate the collection, dissemination and exchange of information related to PRTRs. The Protocol secretariat maintained and updated PRTR.net in cooperation with UNITAR and the Organisation for Economic Co-operation and Development (OECD) and continued to work closely with UNITAR in order to ensure the effective use of PRTR.net and PRTR:Learn[4] by national focal points and stakeholders.

11. The secretariat also continued to administer a database on capacity-building activities,[5] which provides information on past, future and ongoing PRTR capacity-building

[2] http://aarhusclearinghouse.unece.org/
[3] http://www.prtr.net/
[4] http://prtr.unitar.org/
[5] http://apps.unece.org/ehlm/pp/NIR/RLsearch.asp

activities. This includes a feature that enables national focal points and stakeholders to log in and upload data to the database.

12. The Protocol section of the ECE website was updated regularly during the intersessional period. In addition, section D below includes information regarding the online reporting tool.

3. Thematic surveys

13. During the reporting period, the secretariat carried out a survey of national focal points on progress in implementation of the strategic plan for 2015–2020. The outcomes of the survey were used in preparing the documents on, respectively, progress in implementing the strategic plan for 2015–2020 (ECE/MP.PRTR/WG.1/2018/5) and development of the Protocol (ECE/MP.PRTR/WG.1/2018/6).

C. Information exchange on a technical level

14. The objective of information exchange on a technical level is to monitor and facilitate implementation of the Protocol. This information is exchanged at meetings of the Working Group of the Parties to the Protocol, at ad hoc meetings and through the use of electronic tools. Information exchange on a technical level is relevant for the achievement of all three focal areas of the strategic plan and, specifically, for the achievement of objectives I.1, I.2, II.1, II.3 and III.1.

15. In addition, sections B above and E below describe trainings, surveys, subregional workshops, electronic tools and other activities that enable the exchange of information on a technical level. Sections D and F below include information on the reporting mechanism and the meetings of the Working Group of the Parties.

D. Reporting mechanism

16. The objective of the reporting mechanism is to monitor and facilitate implementation of the Protocol, the review of compliance and the exchange of experience. This is achieved through meetings of the Working Group of the Parties to the Protocol; exchanges on a technical level of information on the application of electronic information tools; and use of the online national implementation reports database in the Aarhus Clearinghouse, the PRTR:Learn website, the PRTR capacity-building activities matrix and e-reporting. This work programme activity is relevant for the achievement of focal area I of the strategic plan.

17. Following the failure of Cyprus, Malta, Slovenia and Ukraine to submit their national implementation reports for the 2017 reporting cycle before the third session of the Meeting of the Parties (Budva, Montenegro, 15 September 2017), these Parties were called upon to report by 1 October 2017. As at 17 July 2018, Slovenia had still not submitted its report for the 2014 reporting cycle and Malta and Slovenia had not submitted their reports for the 2017 reporting cycle.

E. Awareness-raising and promotion of the Protocol and its interlinkages with other treaties and processes

18. The objective of awareness-raising and promotion of the Protocol and its interlinkages with other treaties and processes is: (a) to expand knowledge of the Protocol throughout the ECE region and beyond; (b) to increase the number of Parties; and (c) to further the application of the Protocol in the context of other multilateral environmental agreements and related processes (e.g., the Strategic Approach to International Chemicals

Management under the International Conference on Chemicals Management). The activity is pursued by participating in key regional and international events and processes; supporting workshops organized by others; preparing leaflets, publications, news bulletins and other materials on the Protocol; updating the website; and writing and reviewing articles on the Protocol. This work programme activity is relevant for the achievement of all three focal areas of the strategic plan, and specifically for the achievement of objectives I.1, II.2–4 and III.1.

19. Cooperation between the secretariat and the special procedures of the Human Rights Council was further enhanced during the reporting period. The secretariat provided input on the added value of the Convention and its Protocol to a study by the Office of the High Commissioner for Human Rights: Promotion, protection and implementation of the right to participate in public affairs in the context of the existing human rights law: best practices, experiences, challenges and ways to overcome them (A/HRC/30/26). At the invitation of the High Commissioner for Human Rights, input to the report to be submitted to the Council at its thirty-eighth session, requested in paragraph 18 of Council resolution 32/31 on civil society space, was also provided. Lastly, the secretariat provided input into the expert consultations on children's rights (Geneva, 22–23 June 2017) and on human rights and the environment (Geneva, 17 October 2017) with a view to the preparation of two reports of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment (A/HRC/37/58 and A/HRC/37/59).

20. The secretariat promoted the Convention and its Protocol at the first meeting of the Conference of the Parties to the Minamata Convention on Mercury (Geneva, Switzerland 24–29 September 2017), highlighting the potential for synergies in implementing the two instruments. A third Global Round Table on Pollutant Release and Transfer Registers, to be held in Geneva on 7–8 November 2018 under the auspices of ECE and OECD and in cooperation with UNITAR and the United Nations Environment Programme (UNEP), will be co-chaired by the Chair of the Meeting of the Parties to the Protocol and the Chair of the OECD Working Group on Pollutant Release and Transfer Registers. The Round Table is expected to foster exchanges between governments and a variety of stakeholders on PRTR-related issues. The presentations and discussions during the event will focus on good practices, common challenges and new opportunities related to the further development of PRTRs.

21. The secretariat also participated, or arranged for the participation of representatives of Convention and Protocol bodies, in a number of workshops and other events in various countries. At the third session of the Meeting of the Parties to the Protocol, it promoted the Protocol at side events on the pollutant release and transfer register module in the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) toolbox for decision-making in chemicals management (organized by OECD and UNITAR) and on advancing pollutant release and transfer registers in the Western Balkans and in the Republic of Moldova (organized by the Regional Environmental Centre for Central and Eastern Europe).

22. In order to build synergies and enhance coordination with partners, the secretariat serviced the tenth meeting of the International Pollutant Release and Transfer Mechanisms (PRTR) Coordinating Group (New York, 29 June 2017),[6] held immediately following the first meeting of the OECD Working Group on Pollutant Release and Transfer Registers. The Coordinating Group maintained ongoing close cooperation with the Global Environment Facility, OECD, the Economic Commission for Latin America and the Caribbean, UNEP and UNITAR on PRTR-related issues.

[6] http://www.unece.org/env/pp/prtr/intlcgimages/about.html

23. The secretariat promoted the Protocol through various reports and articles prepared under the auspices of ECE and partner organizations, including the *Global Environment Outlook (GEO-6)* with its *Assessment for the pan-European Region*; encouraged synergies within the Multilateral Environmental Agreements Information and Knowledge Management Initiative, coordinated by UNEP; and took part in related meetings. It also contributed information on the electronic tools used for Convention and Protocol activities to the report of the Secretary-General on progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society at the regional and international levels (A/73/66-E/2018/10).

24. Lastly, the secretariat continued an enhanced outreach exercise that involved distributing materials about the Convention and the Protocol to national focal points, Aarhus Centres, non-governmental organizations and academic institutions in the ECE region.

F. Coordination and oversight of intersessional activities

25. Coordination and oversight of intersessional activities under the Protocol are carried out at meetings of the Working Group of the Parties and, where necessary, of the Bureau and through consultations among Bureau members using email. This work programme activity is relevant to all three focal areas of the strategic plan.

26. In cooperation with the host country, Montenegro, the secretariat organized the third session of the Meeting of the Parties to the Protocol, the sixth session of the Meeting of the Parties to the Convention and their Joint High-level Segment, held in Budva, Montenegro on 11–15 September 2017, as well as 18 side events in the margins of the sessions.[7]

27. It also serviced the twelfth meeting of the Bureau (Budva, 13 September 2017) and the thirteenth meeting of the Bureau (Gothenburg, 23–24 May 2018)[8] and coordinated a number of email consultations among Bureau members.

28. Representatives of the ECE Committee on Environmental Policy and the governing bodies of the ECE multilateral environmental agreements continued to liaise at informal meetings in order to exchange information on priorities under the agreements and to identify and discuss potential areas for cooperation and synergy in the light of recent and future developments in the area of the environment. The Chair of the Meeting of the Parties to the Protocol and the secretariat participated in the ninth informal meeting between representatives of the governing bodies of the ECE Multilateral Environmental Agreements and the Committee of Environmental Policy (Geneva, 13 November 2017).[9]

29. The Chair of the Meeting of the Parties also presented activities under the Protocol and their role in achievement of the Sustainable Development Goals to the Committee on Environmental Policy at its twenty-third session (Geneva, 14–17 November 2017).

30. As at 17 July 2018, there are 36 Parties to the Protocol, Montenegro having ratified it on 11 October 2017.

G. Technical assessment of provisions of the Protocol

31. Technical assessment of the provisions of the Protocol involves the drafting of recommendations on technical issues for the Meeting of the Parties based on the assessment reports. The method of work for this activity includes meetings of the Working Group of

[7] http://www.unece.org/env/pp/aarhusmop6&prtrmopp3/main.html

[8] http://www.unece.org/env/pp/prtr-bureau.html

[9] http://www.unece.org/environmental-policy/conventions/joint-work-and-informal-networks.html

the Parties to the Protocol, electronic consultation, and drafting of assessment reports on experience gained in the development of national PRTRs under article 6, paragraph 2, of the Protocol. This work programme activity is relevant for the achievement of all three focal areas of the strategic plan, and specifically objectives I.1–6, II.1 and III.1–4.

32. At its first meeting (Geneva, 28–29 November 2011), the Working Group of the Parties agreed that no amendments to the provisions of the Protocol were needed at that time and that experience needed to be gathered before such a review could take place. The 2014 and 2017 synthesis reports on the implementation of the Protocol (ECE/MP.PRTR/2014/5 and ECE/MP.PRTR/2017/10), presented to the Meeting of the Parties at its second and third sessions, respectively, and the national implementation reports[10] on which the syntheses were based provide insight into some of the issues related to technical assessment of the provisions of the Protocol.

33. At its thirteenth meeting, the Bureau considered the outcome of the review of progress in implementing the strategic plan for 2015–2020, and particularly the major opportunities and challenges encountered during the review,[11] as well as the lessons learned from the development of national PRTRs, implementation of the Protocol and relevant international processes. In light of the foregoing, the Bureau decided to put forward a proposal related to development of the Protocol for consideration by the Working Group of the Parties at its sixth meeting.

H. Horizontal support areas

34. The objective of the horizontal support activities carried out during the periods 2015–2017 and 2018–2021 was to provide overall support covering multiple substantive areas of the work programme, including secretarial support and staff training. These activities are relevant to all focal areas of the strategic plan.

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[10] http://www.unece.org/env/pp/prtr/reporting.html

[11] See the note by the Bureau on progress in implementing the strategic plan for 2015–2020 (ECE/MP.PRTR/WG.1/2018/5)